

FILED **TD****9/23/2024****THOMAS G. BROWN, CLERK, U.S. DISTRICT COURT**

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

In the Matter of the Search of:

Case No. 24 M 732

the United States Mail package bearing tracking number 9505 5158 8271 4254 3333 85, further described in Attachment A

APPLICATION AND AFFIDAVIT FOR A SEARCH WARRANT

I, Phil Hemmeler, a Task Force Officer of the U.S. Postal Inspection Service, request a search warrant and state under penalty of perjury that I have reason to believe that in the following package:

See Attachment A

located in the Northern District of Illinois, there is now concealed:

See Attachment B

The basis for the search under Fed. R. Crim. P. 41(c) is evidence, instrumentalities, and contraband.

The search is related to a violation of:

Code Section

Title 21, United States Code, Section 843(b)

Offense Description

use of a communications facility to distribute narcotics

The application is based on these facts:

See Attached Affidavit,

Continued on the attached sheet.

Phil Hemmeler by MV

Applicant's Signature

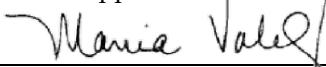
PHIL HEMMELER, Task Force Officer

U.S. Postal Inspection Service

Printed name and title

Pursuant to Fed. R. Crim. P. 4.1, this Application is presented by reliable electronic means. The above-named agent provided a sworn statement attesting to the truth of the statements in the Application and Affidavit by telephone.

Date: September 23, 2024



Judge's signature

City and State: Chicago, Illinois

MARIA VALDEZ, U.S. Magistrate Judge

Printed name and title

UNITED STATES DISTRICT COURT)
)
NORTHERN DISTRICT OF ILLINOIS)

AFFIDAVIT

I, Phil Hemmeler, being duly sworn, state as follows:

1. I am a Task Force Officer with the U.S. Postal Inspection Service. I have been so employed since approximately January 2023. I have been employed with the Palatine Police Department since October 2006.

2. As part of my duties as a USPIS Task Force Officer, I investigate criminal violations relating to the federal laws relating to the mails and to controlled substances.

3. This affidavit is made in support of an application for a warrant to search the United States Mail Parcel with Tracking Number 9505 5158 8271 4254 3333 85 described further in Attachment A (the "**Subject Parcel**"), for evidence, instrumentalities, and contraband described further in Attachment B, concerning use of a communications facility to distribute narcotics, in violation of Title 21, United States Code, Section 843(b) (the "**Subject Offense**").

4. The statements in this affidavit are based on my personal knowledge, and on information I have received from other law enforcement personnel and from persons with knowledge regarding relevant facts. Because this affidavit is being submitted for the limited purpose of securing a search warrant, I have not included each and every fact known to me concerning this investigation. I have set forth facts that I believe are sufficient to establish probable cause to believe that evidence, instrumentalities, and

contraband of violations of the **Subject Offense** are located within the **Subject Parcel**.

I. FACTS SUPPORTING PROBABLE CAUSE TO SEARCH THE SUBJECT PARCEL

5. On September 16, 2024, I inspected the **Subject Parcel** at the USPS Irving Park Distribution Domicile in Chicago, IL. The **Subject Parcel** was first scanned by the United States Postal Service on September 10, 2024, in McAllen, TX, 78501, and is addressed to "Angel Villegas, 4536 S. La Crosse Ave, Chicago, IL 60638," with a return address of "Jesus Ruiz, 622 Melanie Dr., Pharr, TX 78577." According to law enforcement, the **Subject Parcel** bears \$24.75 in postage, measures approximately 12 inches by 5 inches by 12 inches, and weighs approximately 4 pounds and 2.6 ounces.

6. I observed several characteristics about the **Subject Parcel** that, in my training and experience, can be consistent with parcels containing a controlled substance.

7. First, I ran the sender and recipient names and addresses on the **Subject Parcel** through a law enforcement database. I determined that the sender appeared to be fictitious, as there was no "Jesus Ruiz" associated with the origination address. Based on my training and experience, a fictitious sender name can indicate that the sender does not want to be associated with the parcel.

8. Second, the **Subject Parcel** originated from a state that is close to the United States border. Based on my training and experience, I am aware narcotics are

commonly smuggled into the United States across the southern land border. I am further aware that once narcotics arrive in the United States, they are often temporarily stored in states along the southern United States border prior to being further distributed, commonly via the United States Mail, to customers around the United States. As a result of this occurrence, many seizures of narcotics-laden parcels are from parcels that are sent from states close to the United States border.

9. Third, the **Subject Parcel** is taped with clear packing tape on all of the parcel seams. Based on my training and experience, parcels can be taped in this manner in an attempt to hide or mask the odor of the parcel's contents.

10. Fourth, the **Subject Parcel** was paid for in cash. Based on my training and experience, I am aware cash payments are more difficult to be traced back to the individual who made the payment. I am further aware drug traffickers will sometimes use cash payment to avoid association with the parcel, should the parcel be seized, searched, and found to contain narcotics and/or illegal contraband.

11. Each of the characteristics I describe above can be consistent with parcels that do not contain contraband. Based on my training and experience, however, the combination of these characteristics led me to investigate further by calling in a narcotics dog to perform further examination of the **Subject Parcel**.

12. On September 16, 2024, I arranged for a USPIS Task Force Officer and his canine partner, "Jager," to meet with me and examine the **Subject Parcel**. According to the Task Force Officer, Jager is certified annually by the Illinois Law

Enforcement Training and Standards Board as a narcotics dog. Jager was most recently re-certified on March 1, 2024. Jager is trained to sniff buildings, vehicles, envelopes, and wrapped parcels to detect the odors of marijuana, methamphetamine, heroin, cocaine, and other controlled substances that could be contained inside. Jager is also trained to indicate the presence of such substances or their scents by alerting to the item he is sniffing.

13. In addition, according to USPIS records, Jager has successfully alerted to controlled substances and other items believed to have been in contact with controlled substances, including United States currency, paraphernalia, and packaging, further described in Attachment B, in U.S. Mail Parcels and letters on 56 occasions since March 2024, with a success rate of approximately 96%. To the best of my knowledge, the Des Plaines Police Department does not maintain records regarding the overall success rate for its drug detection dogs, and therefore only the USPIS success rate is available.

14. On September 16, 2024, at the USPS Irving Park Distribution Domicile in Chicago, Illinois, I arranged a controlled substance detection test by placing the **Subject Parcel** among approximately 10 other parcels in the workroom area. I then witnessed Jager examine the parcels and observed Jager sit/down next to the **Subject Parcel**. Jager did not alert to any of the other parcels. The Task Force Officer informed me that Jager's actions indicated the presence of narcotics and/or controlled substances in the **Subject Parcel**. I then took custody of the **Subject Parcel**.

15. Additionally, based on my training and experience: (i) individuals who engage in the trafficking of illegal controlled substances often exchange cash through the mail; (ii) money that is handled by individuals who also handle drugs or is in the vicinity of drugs can retain the scent of drugs, which dogs can smell; and (iii) in other such cases, narcotics dogs have alerted to a package that has contained money.

II. CONCLUSION

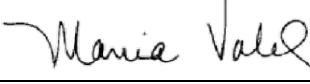
16. Based on the above information, I respectfully submit that there is probable cause to believe that use of a communications facility to distribute narcotics, in violation of Title 21, United States Code, Section 843(b), has been committed, and that evidence, instrumentalities, and contraband relating to this criminal conduct, as further described in Attachment B, will be found in the **Subject Parcel**, as further described in Attachment A. I therefore respectfully request that this Court issue a search warrant for the **Subject Parcel** more particularly described in Attachment A, authorizing the seizure of the items described in Attachment B.

FURTHER AFFIANT SAYETH NOT.

Phil Hemmeler by MV

Phil Hemmeler
Task Force Officer
U.S. Postal Inspection Service

Sworn to and affirmed by telephone 23rd day of September, 2024


Honorable MARIA VALDEZ
United States Magistrate Judge

ATTACHMENT A

DESCRIPTION OF ITEM TO BE SEARCHED

The United States Mail package bearing tracking number 9505 5158 8271 4254 3333 85 that was scanned by the United States Postal Service on or about September 10, 2024 in McAllen, TX, 78501, and is addressed to Angel Villegas, 4536 S. La Crosse Ave, Chicago, IL 60638, with a return address of Jesus Ruiz, 622 Melanie Dr., Pharr, TX 78577. The **Subject Parcel** bears approximately \$24.75 in postage, measures approximately 12 inches by 5 inches by 12 inches, and weighs approximately 4 pounds and 2.6 ounces.

ATTACHMENT B

LIST OF ITEMS TO BE SEIZED

Evidence, instrumentalities and contraband concerning violation of Title 21, United States Code, Section 843(b) (the “**Subject Offense**”), as follows:

1. Controlled substances;
2. Packaging for controlled substances;
3. United States currency that constitutes evidence, or instrumentalities of the **Subject Offense**;
4. Paraphernalia associated with the use, possession, manufacturing, packaging, processing, and distribution of controlled substances, including but not limited to adulterants, dilutants, cutting agents, scales, needles, grinders, heat-sealing devices, plastic bags, and money-counting devices; and
5. Items that identify the sender or intended recipient of the **Subject Parcel**.